

ENTERED

February 26, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

WILMINGTON SAVINGS FUND
SOCIETY, FSB,

Plaintiff,

VS.

THOMAS A LOTT, *et al*,

Defendants.

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CIVIL ACTION NO. 2:17-CV-134

**ORDER ADOPTING AMENDED
MEMORANDUM AND RECOMMENDATION**


On February 6, 2019, United States Magistrate Judge B. Janice Ellington issued her “Amended Memorandum and Recommendation” (D.E. 32). The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Amended Memorandum and Recommendation (D.E. 32), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as

its own the findings and conclusions of the Magistrate Judge. Accordingly, Plaintiff's motion for summary judgment (D.E. 27) is **GRANTED** and Plaintiff is entitled to judgment permitting foreclosure on the Sinton property; reasonable attorney's fees arising from this suit; and declaratory relief specifying that the property in the 2007 loan agreement is the same property described in the 2002 and 2004 loan documents. Plaintiff is **ORDERED** to file its motion for judgment, including its proposed form of judgment, on or before March 18, 2019.

ORDERED this 26th day of February, 2019.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE